

### **REMARKS**

Claims 1-28 were previously pending. As the Examiner did not accept Applicants' arguments with respect to traversal of the restriction requirement, the Examiner withdrew from consideration claims 5-8 and 13-28. Without acceding to the propriety of the Examiner's restriction, and in order to facilitate prosecution, Applicants have cancelled herein claims 5-8 and 13-28. Applicants preserve the right to pursue these claims in additional filings. Also pursuant to the restriction requirement, applicants have amended claims 1 and 9. Applicants have also cancelled claims 2 and 10, as these dependent claims became redundant upon the amendment to claims 1 and 9.

### **Double Patenting Rejections**

Claims 1-4 and 9-12 have been rejected under obviousness-type double patenting as being unpatentable over claims 1-3 of US Patent No. 6,670,344. As the Examiner states, this rejection can be overcome by a timely filed terminal disclaimer in compliance with 37 CFR 1.321(c). Applicants submit herein such a terminal disclaimer. Accordingly, Applicants believe that the obviousness-type double patenting rejections have now been overcome.

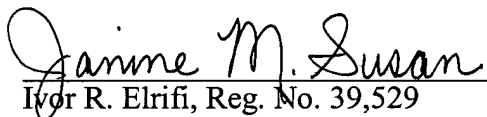
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U.S.S.N.: 10/660,439

### **CONCLUSION**

On the basis of the foregoing amendments and remarks, Applicants respectfully submit that this paper is fully responsive and that the pending claims are in condition for allowance. Such action is respectfully requested. If there are any questions regarding these amendments and remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,

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